

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSE GUADALUPE PEREZ-FARIAS, JOSE F. SANCHEZ, RICARDO BETANCOURT, and all other similarly situated persons,

Plaintiffs,

V.

GLOBAL HORIZONS, INC., *et al.*,

Defendants.

NO. CV-05-3061-RHW

ORDER GRANTING MOTION TO EXTEND; MOTION TO AMEND

Before the Court are Plaintiffs' Motion to Extend Appeal Deadline Due to Plaintiffs' Rule 54 Motion for Attorneys Fees (Ct. Rec. 1133); and Plaintiffs and Grower Defendants' Motion to Amend Judgments (Ct. Rec. 1149).

1. Plaintiffs' Motion to Extend Appeal Deadline

Plaintiffs ask to extend the deadline for filing an appeal pursuant to Fed. R. Civ. P. 58(e). Pursuant to Rule 58(e), the Court may grant such a motion, which would permit the motion to have the same effect under Federal Rule of Appellate Procedure 4(a)(4), which states that the time to file an appeal runs for all parties from the entry of the order disposing of the motion for attorney's fees, if the district court extends the time to appeal under Rule 58. The Global Defendants object to the motion; the Grower Defendants do not.

Here, the Court finds that good cause exists to grant the motion. Defendant Global had requested oral argument on the motion, but the Court concludes that oral argument is not necessary. *See* Local Rule 7.1(h)(3).

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1 **2. Plaintiffs' and Grower Defendant's Motion to Amend Judgments**

2 The parties ask that the Court amend the judgments that were recently
3 entered to be consistent with the Jury Verdict and the Court's Finding of Fact and
4 Conclusions of Law. The Court finds that good cause exists to grant the motion.

5 Accordingly, **IT IS HEREBY ORDERED:**

6 1. Plaintiffs' Motion to Extend Appeal Deadline Due to Plaintiffs' Rule 54
7 Motion for Attorneys Fees (Ct. Rec. 1133) is **GRANTED**.

8 2. Plaintiffs' Motion to Expedite (Ct. Rec. 1130) is **GRANTED**.

9 3. Plaintiffs' and the Grower Defendants' Motion to Amend Judgments (Ct.
10 Rec. 1149) is **GRANTED**.

11 4. On or before **July 30, 2009**, the parties are directed to file any objections
12 to the proposed amended judgments as set forth below. If no objections are filed,
13 the Court will enter the proposed amended judgments.

14 The Judgment entered on June 15, 2009 (Ct. Rec. 1129), will be amended as
15 follows:

16 The Plaintiffs Subclass categories recover from Global Horizons, Mordechai
17 Orian, Green Acre Farms, Inc. and Valley Fruit Orchards, jointly and severally, the
18 following:

19 Denied Work: Statutory damages in the amount of \$138,950.00

20 Green Acre: Statutory damages in the amount of \$45,213.81

21 Valley Fruit: Statutory damages in the amount of \$53,119.21

22 Denied Work Subclass: U.S. Resident farm workers who claim they were
23 offered employment by Global Horizons to work at Green Acre Farms, Inc. or
24 Valley Fruit Orchards, LLC in 2004, but were not employed by Global Horizons in
25 2004.

26 Green Acre Subclass: U.S. Resident farm workers who were employed
27 through Global Horizons, Inc. for agricultural employment at Green Acre Farms,
28 Inc. in 2004.

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1 Valley Fruit Subclass: U.S. Resident farm workers who were employed
2 through Global Horizons, Inc. for agricultural employment at Valley Fruit
3 Orchards, LLC, in 2004.

4 The Amended Judgment entered on June 15, 2009 (Ct. Rec. 1128), will be
5 amended as follows:

6 The Plaintiff Ricardo Betancourt shall recover from Global Horizons,
7 Mordechai Orian, Green Acre Farms, Inc. and Valley Fruit Orchards, jointly and
8 severally, \$5,099.50 for lost wages and from Global Horizons and Mordechai
9 Orian \$2,500.00 for emotional distress.

10 The Plaintiff Jose Sanchez shall recover from the Global Horizons,
11 Mordechai Orian, Green Acre Farms, Inc. and Valley Fruit Orchards, jointly and
12 severally, \$492.20 for lost wages and from Global Horizons and Mordechai Orian
13 \$5,500.00 for emotional distress.

14 The Plaintiff Jose G. Perez-Farias shall recover from Global Horizons and
15 Mordechai Orian \$4,000.00 for emotional distress.

16 The Plaintiffs Subclass categories recover from Global Horizons and
17 Mordechai Orian the following:

18 Denied Work: Punitive damages in the amount of \$100,000.

19 Green Acre: Punitive damages in the amount of \$100,000.

20 Valley Fruit: Punitive damages in the amount of \$100,000.

21 Denied Work Subclass: U.S. Resident farm workers who claim they were
22 offered employment by Global Horizons to work at Green Acre Farms, Inc. or
23 Valley Fruit Orchards, LLC in 2004, but were not employed by Global Horizons in
24 2004.

25 Green Acre Subclass: U.S. Resident farm workers who were employed with
26 Global Horizons at Green Acre Farms in 2004.

27 Valley Fruit Subclass: U.S. Resident farm workers who were employed with
28 Global Horizons at Valley Fruit Orchards in 2004.

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1 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
2 Order and to provide copies to counsel.

DATED this 8th day of July, 2009.

s/ Robert H. Whaley

ROBERT H. WHALEY
Chief United States District Court

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